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Hasan Çolak and Elif Bayraktar-Tellan, The
Orthodox Church as an Ottoman Institution: A Study
of Early Modern Patriarchal Berats

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Critical Perspectives

Approches Critiques

Hasan Çolak and Elif Bayraktar-Tellan,
*THE ORTHODOX CHURCH AS AN OTTOMAN INSTITUTION:
A STUDY OF EARLY MODERN PATRIARCHAL BERATS,*
(*Ecclesiastica Ottomanica I*),
Istanbul: Isis Press, 2019, 390 pages.

The Orthodox Church assumed new roles in the Ottoman Empire, roles that required subtle adaptations and multifaceted challenge management. In recent decades, historiography has shed new light on the multiple aspects of the church's function. On the one hand, it has been made clear that in the new context established after the Fall of Constantinople, a context where the lay power was non-Christian, the Ecumenical Patriarchate, apart from being the head of the ecclesiastical administration, became the leading institution of the Orthodox Christians of the empire. On the other hand, the growing incorporation by historiography of the Ottoman sources in the study of the Orthodox Church has highlighted its character as an Ottoman institution, its interaction with the Ottoman central administration and its transformation in the long term.

The present volume offers new material in this direction. It includes

a critical edition of the berats issued for the Greek Orthodox patriarchs of Constantinople, Antioch, Jerusalem and Alexandria in the early modern period (1477–1768). Berats were the appointment documents issued by the sultan not only for the Orthodox patriarchs but also for any officeholder within the empire. These official documents enabled their addressees to hold an office and specified their obligations and their rights or privileges. The book is a welcome addition to the list of works regarding the berats issued for Greek Orthodox patriarchs or prelates, as it presents the texts of 31 of them. The majority of these documents, namely 28 berats, are published for the first time. Five berats date to the fifteenth–seventeenth centuries (1477–1649) and the remaining 26 to the eighteenth century (1703–1768).

The book begins with a preface and then an editorial note, where the authors present the principles they followed

in selecting the documents and their methodology in the transliteration and translation of the texts. They specify that they included only those berats for which Ottoman Turkish originals (the versions given to the patriarchs) or copies (the versions recorded in the Ottoman Imperial chancery) are extant or have been published.

The next section is a comprehensive introduction to the subject, presenting an overview of the relevant literature and examining the following topics: Berats and the ideology of the Orthodox Church; Berats and the functioning of the Orthodox Church: Palaeographical and diplomatic characteristics; and Berats and the transformation of the Orthodox Church.

As far as the first topic is concerned, the authors discuss the contribution of the berats in the formation of ideology in the Orthodox Church. Specifically, they refer to the alleged first berat granted to a patriarch of Constantinople, Gennadios, by Sultan Mehmed II. Although the aforementioned document is not extant, from the sixteenth century it occupied a central position in the discourse of the church with regard to its status vis-à-vis the Ottoman central administration. It is no coincidence that the first attempt by the Ottomans to convert the churches of Constantinople into mosques, due to the city's conquest by force, occurred around 1537–1539. It should be noted that the key role of the early berats is clearly formulated even in one of the eighteenth-century texts published in the present volume. Specifically, accordingly to the berat issued in 1741 for Paisios II of Constantinople, 23 metropolitans had presented a petition for his election, stating that “since the

old days and since the imperial conquest, the Orthodox patriarchs of Istanbul have been granted sealed and lucid berats with olden stipulations”.

The authors present how the importance of the ecclesiastical berats in the discourse of the Patriarchate of Constantinople became more prominent during the nineteenth century, a period of constitutionalism for Ottoman non-Muslim communities, inasmuch as the berats were regarded as the basis for the Orthodox Church's historic rights and privileges. At the same time the authors point out some myths in the historiography regarding the role of the Eastern patriarchates, namely those of Antioch, Jerusalem and Alexandria, myths that emerged from the millet theory.

The second chapter of the introduction examines not only the palaeographical and diplomatic characteristics of the berats but also the Ottoman bureaucratic procedure followed by the Patriarchate of Constantinople and the Eastern patriarchates, namely the successive actions required for the acquisition of patriarchal berats. Sometimes powerful clergymen or laymen mediated in this procedure. Although the patriarchs of Constantinople often mediated during the eighteenth century to the Ottoman central administration for the acquisition of patriarchal berats by the Eastern patriarchates, it is clarified that it was not rare either for Eastern patriarchs to receive their berats without the ecumenical patriarch's agency.

The third chapter of the introduction includes a historical sketch of the Orthodox Church in the early modern period which refers briefly to the tensions that occurred in the seventeenth century between the church

and the Ottoman central administration due to the former's relations with other Christian churches. The authors focus though on the better-documented eighteenth century. Specifically they refer to transformations in the Christian society of the empire, as was the advancement of the influential Phanariot lay elites in the Ottoman bureaucracy, in the Ecumenical Patriarchate's administration – namely the establishment of the system of Elders (*Γερωντισμός*) (1741, mainly 1763) – and in the Ottoman central administration as well. These factors contributed, inter alia, to the institutionalisation and consolidation of the Orthodox Church. Furthermore, in 1766–1767 two new ecclesiastical provinces were placed under the Ecumenical Patriarchate's jurisdiction, namely the archbishoprics of Peć and Ohrid, reinforcing thus its prestige among the Orthodox Christians.

The anti-Catholic policies of the Orthodox patriarchs were usually supported by the Ottoman administration, especially when the order within the Orthodox community was being at stake. The authors examine in this perspective the case of Patriarch of Constantinople Kyrillos V (I. 28 September 1748–end of May 1751, II. early September 1752–16 January 1757) and the issue of rebaptism (*αναβαπτισμός*) that occurred during his mandates. It should be added though that the reasons for the disorder during that period were not exclusively dogmatic. It has been persuasively argued that Greek Orthodox Christians originating mainly from the middle social strata found in the dogmatic pretext of rebaptism

the opportunity to question Phanariot domination over the Greek society.¹

The above transformations and dynamics of the eighteenth century are reflected in the patriarchal berat texts of that period. According to the authors, the key areas of change in the berat stipulations are the following: Firstly, the strengthening of the legal basis of the patriarch's authority vis-à-vis a number of groups, namely a. the Greek Orthodox prelates and flock, and b. local Ottoman officials and notables intervening in the patriarchal policies against the Catholics, in the financial operations of the Orthodox prelates and priests both on behalf of the state and the church, or in various administrative issues.

Secondly, in the legal field, the interaction between Islamic and canon law is traced in a number of stipulations (through the appearance of the term *sharia*). Besides, legal disputes between the church and the Orthodox populations of the provinces were transferred from the jurisdiction of the qadi courts to the Imperial Chancery, where the patriarchal and lay Orthodox elites were more influential.

Thirdly, as far as terminology is concerned, the title and prayer appended to patriarchs in this period had originally been used for foreign Christian rulers

¹ On the subject see the article of Dimitris G. Apostolopoulos, "Κοινωνικές διενέξεις και Διαφωτισμός στα μέσα του 18ου αιώνα: Η πρώτη αμφισβήτηση της κυριαρχίας των Φαναριωτών," *Για τους Φαναριώτες: Δοκιμές ερμηνείας και μικρά αναλυτικά* (Athens: Centre for Neohellenic Studies of the National Hellenic Research Foundation, 2003), 31–44.

and for the Phanariot officers in the Ottoman administration. Moreover, the initially pejorative terms used for the clergymen and the Orthodox flock were gradually replaced by neutral ones or omitted altogether.

The sections following the introduction include: the list of the patriarchal berats of the period 1477–1768 that had been published by 2019, the list of documents that are presented in the current volume, the transliterations and the English translations of the berat texts, as well as the facsimiles of the Ottoman Turkish originals or copies of the previously unpublished berats. The book concludes with a glossary, bibliography and index. The latter would be even more useful if it included the names of persons and places mentioned in the berat texts.

The series of archival sources published in the volume brings to light new aspects of the functioning of the Orthodox Church and its interaction with the Ottoman administration, mainly during the eighteenth century. Moreover the new material fills in certain gaps in the documentation, deepening our knowledge on various topics.

For example, it was already known that the appointment of Ecumenical Patriarch Kosmas III in 1714 had been marked by two changes regarding the status and the financial obligations of the Ecumenical Patriarchate vis-à-vis the Ottoman state. Specifically, the *pişkes*, the sum that the patriarchs usually had to pay in order to receive a berat of appointment or renewal, was replaced in 1714 by an annual financial obligation of the patriarch (*mîrî maktû'*) to the state treasury, which was added to the annual

patriarchal tax for the meat of the imperial guard. At the same time it was ruled that the patriarchal office would – in principle – be life-long.² Thanks to the publication in the present volume of the berat issued in 1714 for Patriarch Kosmas III, these developments are now even better documented and further elucidated.

Furthermore, the newly published berats of ecumenical patriarchs Paisios II (1741), Kallinikos IV (February 1757), Ioannikios III (1761), Samouil (1763) and Meletios II (1768) contribute significantly to our knowledge of the changes in the patriarchate's administration during those years, namely the procedure that led to the consolidation of the metropolitans' power – through the establishment of the system of Elders – and to a more representative election of the patriarch.

It should be also noted that the texts of some berats offer interesting information on individuals or groups of persons who played a role in the procedure that led to the issuing of the aforementioned documents, that is, their name, occupation or the office they held. Among them we trace Orthodox patriarchs, prelates, laymen and Phanariot officers.

The berat issued in 1720 for Jeremias III of Constantinople serves as an example. Jeremias had ascended to the patriarchal throne on 25 March 1716. According to the *narratio* of the text of 1720, a complaint had been previously

² Paraskevas Konortas, *Οθωμανικές θεωρήσεις για το Οικουμενικό Πατριαρχείο, 17ος-αρχές 20ού αιώνα* (Athens: Alexandria, 1998), 174–76.

presented against Ieremias III in Greek, which had caused his dismissal. A group of 11 Orthodox metropolitans, mentioned by name, requested now that Ieremias continue to hold the patriarchate. Their request was supported at the sharia court by a group of 116 lay residents of Istanbul, who claimed that they were content with the said patriarch. The name and occupation of about 93 of them is mentioned in the berat. They were lumbermen, furriers, money-exchangers, ironmongers, grocers, builders, tailors, etc. It is interesting that among these lay supporters of Ieremias were Yamandi, son of Israil, Murâd, son of Yorgi, Murad, son of Yasef, Arslân, son of Mesrob. It should also be noted that some of the aforementioned Orthodox prelates had actually been involved in attempts to depose Ieremias from the patriarchal throne, according to Greek sources.³

Moreover, in the berat issued in 1724 for Silvestros of Antioch, it is stated that apart from Ieremias [III], patriarch of Constantinople, the then interpreter of the Imperial Chancery had also supported the appointment of Silvestros. Although the interpreter's name is not mentioned in the text, it is known that the person holding this office in 1724 was Grigorios Ghikas. This testimony on the interpreter's mediation in 1724 is

³ Cf. Manouil Gedeon, *Πατριαρχικαί Εφημερίδες: Ειδήσεις εκ της ημετέρας εκκλησιαστικής ιστορίας 1500–1912* (Athens: Τυρ. Sergiadou, 1935–1938), 240–42, and Gedeon, *Πατριαρχικοί Πίνακες: Ειδήσεις ιστορικά βιογραφικά περί των Πατριαρχών Κωνσταντινουπόλεως*, ed. Nikolaos Foropoulos, 2nd rev. ed. (Athens: Sylogos pros Diadosin Ofelimon Vivlion, 1996), 510–12.

included in Silvestros' berat of renewal as well, dating from 1730.

As Serafeim/Kyryllos Tanas, appointed to the throne of Antioch in 1724, had been a Catholic Christian, the authors note that Silvestros' appointment involved a number of significant changes in this patriarchate and its connection with the Ottoman central administration. For this reason the berat of 1724, issued in a period of strict anti-Catholic policies in Syria, was used as a model for later berat issued for the other Eastern patriarchs (in 1746 and 1758 for Matthaïos of Alexandria, in 1731 and 1755 for Parthenios of Jerusalem).

The anti-Catholic stance is, in fact, explicitly formulated in the *narratio* of Silvestros' berat of 1724, as well as in measures protecting the Orthodox Christians against the "Frankish priests and the Catholic monks" included in the berat issued in 1758 for Matthaïos of Alexandria. Moreover, the presence of other competitive religious communities in the Eastern patriarchates constituted a permanent danger to the churches and the holy places belonging to the Orthodox Church, a danger reflected in the respective protective stipulations of the berat (namely those issued for Chrysanthos of Jerusalem in 1707, Silvestros of Antioch in 1724 and 1730, Matthaïos of Alexandria in 1746).

The berat issued in 1724 for Silvestros of Antioch is very important for one more reason. For the first time in the berat texts there is a stipulation acknowledging the "disciplinary tool of excommunication in accordance with their [the Orthodox] rite". Specifically, it is stated that matters of marriage, of dispute between *zimmis* or of dismissal of priests belong to the jurisdiction of

the patriarch or metropolitans, who shall not be obstructed in dispatching the papers of excommunication aiming to discipline *zimmis*. Henceforth this clause was used in the berats of the other Eastern patriarchs and of the patriarchs of Constantinople as well. Actually in the ecumenical patriarchs' berats (the first being the one issued in 1725 for Ieremias III), the content of the original term includes more details regarding marriage and excommunication and, therefore, it forms two separate stipulations. To the second one is added that: "Because in their rite it is forbidden to enter the churches of those who solemnise marriages against their rite ... other officials and powerful people shall not force the priests to bury the corpses of such people."

Recent historiography has shown that in the new circumstances that derived from the expansion of the Orthodox Church's jurisdiction during the post-Byzantine and modern period, the church used widely the threat of excommunication, namely imposing the severest ecclesiastical penance, as a disciplinary tool.⁴ As far as I know, this fact is explicitly stated for the first time in the above official Ottoman documents of 1724 and 1725.

The berat issued in 1725 for Ieremias III of Constantinople contained a lot of additions compared to the previous ecumenical patriarchs' berats

⁴ On this topic see the work of Panagiotis D. Mihailaris, *Αφορισμός: Η προσαρμογή μιας ποινής στις αναγκαιότητες της Τουρκοκρατίας*, 2nd rev. ed. (1997; Athens: Centre for Neohellenic Studies of the National Hellenic Research Foundation, 2004).

extant from the eighteenth century. Specifically, the stipulation regarding the various regular and irregular ecclesiastical contributions and taxes that the church had the right to collect from the clergymen and the flock tripled in size. The financial obligations of Christians were listed in detail, including even optional contributions, as *parisiye* and *portesi* (*παρρησία* and *πρόθεσις*), as well as the *bankas* (*παγκάριον*), namely the sums offered for the commemoration of the donors or for the churches' needs. Henceforth this stipulation is present in the berats issued in the eighteenth century for the patriarchs of Constantinople with only a few changes. Both this fact and the concurrent appearance of the above clause on excommunication testify to the institutionalisation and consolidation of the Orthodox Church and to its cooperation with the Ottoman central administration, developments that were crucial for the church in view of fulfilling its complex responsibilities vis-à-vis the Orthodox Christian populations of the empire and its political/financial obligations towards the state.

Hasan Çolak and Elif Bayraktar-Tellan's book reaffirms the necessity for those who study the history of the Orthodox Church in the Ottoman Empire to use both Greek and Ottoman sources. Hopefully new sources of this kind will be published in the coming years, filling in more missing parts in this panoramic mosaic.

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